

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JEMAL ALBRITTON,

Plaintiff,

No. 22-cv-4512 (JGK)

- against -

ORDER

LAWRENCE FREDELLA, ET AL.,

Defendants.

JOHN G. KOELTL, District Judge:

The Court is in receipt of defendant Lawrence Fredella's July 13, 2023 letter requesting an order (1) compelling the plaintiff to produce a properly executed 160.50 release, and (2) extending the time for the defendant to respond to the complaint until 30 days after his defense counsel receives the executed release. ECF No. 50. The defendant advises that he is unable to comply with his obligations under Federal Rule of Civil Procedure 11 without the executed release, which is required in order to review relevant documents underlying the plaintiff's complaint and to investigate the allegations made therein. The plaintiff has failed to return the executed release for several months, and he has informed defense counsel that he refuses to sign the release. See ECF No. 50-1.

The requests set forth in the defendant's July 13, 2023 letter are **granted**. The plaintiff is directed to execute the 160.50 release and to send the properly executed release to defense counsel by **August 18, 2023**. If the plaintiff fails to

execute and send the release to defense counsel by that date, the plaintiff's claims against this defendant, Lawrence Fredella, will be dismissed without prejudice for failure to prosecute pursuant to Federal Rule of Civil Procedure 4(m).

The time for defendant Fredella to answer or respond to the complaint is extended to **30 days** after defense counsel's receipt of the plaintiff's executed release. Upon receiving the executed release, the defendant should promptly advise the Court of such receipt via letter, with a copy of the executed release attached. The letter and attached release should be filed under seal because the release may contain sensitive personal information.

The Clerk is directed to mail a copy of this Order to the pro se plaintiff and to note such mailing on the docket.

SO ORDERED.

Dated: New York, New York
 July 14, 2023



John G. Koeltl
United States District Judge